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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,486	10/31/2000	Magnus Hollstrom	34650-602PT	2943

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EXAMINER

SAFAIPOUR, HOUSHANG

ART UNIT PAPER NUMBER

2622

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/703,486

Applicant(s)

HOLLSTROM, MAGNUS

Examiner

Houshang Safaipoor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on (RCE) April 12, 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Response to Amendment

Applicant's response filed on April 12, 2005 has been entered and made of record.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on April 12, 2005 has been entered.

Response to Arguments

The following is the response to applicant's arguments.

Applicant argues that "neither Lazzouni nor Dymetman teaches or suggests detecting at least a portion of information printed on a first layer of a surface and associated portion of an address pattern included on a second layer of the surface" as found in amended independent claim 1. Examiner disagrees. Dymetman in his fig. 4 illustrates printed document (102) comprising of a layer 104 and a second layer 108 (col. 12, lines 59-67). Applicant presents the same argument for independent claims 15 and 29. Therefore, for the reasons stated, examiner maintains his rejection.

Claim Rejections - 35 USC § 103

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lazzouni et al. (U.S. Patent No. 5,652,412), and further in view of Dymetman et al. (U. S. Patent No. 6,330,976).

Regarding claim 1, Lazzouni et al. discloses an electronic reading device (electronic pen 10), comprising:

a reading sensor (70) for detecting at least a portion of information printed on a first layer of a surface and an associated portion of an address pattern included on a second layer of the surface, wherein a position of the reading sensor relative to the address pattern can be determined from the detected portion of the address pattern, said reading sensor operating to forward the detected portion of the printed information and the detected portion of the address pattern associated therewith (col. 4 line 8 through col. 6 line 65). Lazzouni does not explicitly specify detecting a portion of an address pattern included on a second layer of the surface. However, referring to figs. 1, 2, 6A and 9, Dymetman discloses detecting at least a portion of the address pattern (2), (col. 12, lines 59-67, col. 17, lines 36-38 and col. 23 line 46 through col. 24 line 64). (Please also refer to the response to the applicant's argument above). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to include the teachings of Dymetman in Lazzouni's system to enhance the design.

Regarding claim 2, Lazzouni et al. discloses the electronic reading device of claim 1,

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wherein the detected portion of the printed information is printed on a surface having a preprinted address pattern (col. 6, lines 35-46).

Regarding claim 3, Lazzouni et al. discloses the electronic reading device of claim 1, wherein the address pattern is superimposed on a surface having preexisting printed information (col. 4, lines 46-50).

Regarding claim 4, Lazzouni et al. discloses the electronic reading device of claim 1, wherein the address pattern comprises a pattern of dots (col. 6, lines 35-37).

Regarding claim 5, Lazzouni et al. discloses the electronic reading device of claim 1, wherein the reading sensor comprises a first sensor for detecting portions of the printed information and a second sensor for detecting portions of the address pattern (col. 5 line 55 through col. 6 line 7).

Regarding claim 6, Lazzouni et al. discloses the electronic reading device of claim 1, wherein the printed information reflects light in a first part of the light spectrum and the address pattern reflects light in a second part of the light spectrum, the first part of the light spectrum at least partially non-overlapping with the second part of the light spectrum (col. 5, line 35 through col. 6 line 34).

Regarding claim 7, Lazzouni et al. discloses the electronic reading device of claim 6, wherein the first part of the light spectrum and the second part of the light spectrum each comprise at least a portion of at least one of the visible light spectrum, the ultraviolet spectrum, and the infrared spectrum (col. 5, lines 13-43).

Regarding claim 8, Lazzouni et al. discloses the electronic reading device of claim 6, wherein the reading sensor comprises:

a first sensor for detecting light in the first part of the light spectrum; and a second sensor for detecting light in the second part of the light spectrum (col. 5, line 55 through col. 6 line 7).

Regarding claim 9, Lazzouni et al. discloses the electronic reading device of claim 6, further comprising a light emitter operating to emit light in at least one of the first part of the light spectrum and the second part of the light spectrum (col. 5, lines 35-43).

Regarding claim 10, Lazzouni et al. discloses the electronic reading device of claim 9, wherein the light emitter emits a wide spectrum light and the reading sensor comprises a plurality of sensors, at least one of the plurality of sensors including a filter for filtering out one of the first part of the light spectrum and the second part of the light spectrum (col. 5, line 35 through col. 6, line 7).

Regarding claim 11, Lazzouni et al. discloses the electronic reading device of claim 9, wherein the light emitter includes:

a first light emitting diode operating to emit an infrared light; and a second light emitting diode operating to emit a non-infrared light (col. 5, lines 13-54).

Regarding claim 12, Lazzouni et al. discloses the electronic reading device of claim 11, wherein the first light emitting diode and the second light emitting diode are alternately activated (col. 5, lines 35-43).

Regarding claim 13, Lazzouni et al. discloses the electronic reading device of claim 1, wherein the electronic reading device comprises a hand scanner (col. 4 lines 8-62).

Regarding claim 14, Lazzouni et al. discloses the electronic reading device of claim 1, wherein the reading sensor forwards the detected printed information and the detected portion of the address pattern associated therewith to a processor, said processor operating to generate an

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electronic copy of the printed information by determining positions of the detected printed information using the associated portions of the address pattern (col. 8, line 65 through col. 9, line 27).

Regarding claim 15, arguments analogous to those presented for claim 1 are applicable to claim 15.

Regarding claim 16, Lazzouni et al. discloses the system of claim 15, wherein the formatted surface comprises a sheet of paper (col. 4, lines 43-46).

Regarding claim 17, Lazzouni et al. discloses the system of claim 15, wherein the formatted surface comprises a display screen, the printed information and the address pattern displayed on the display screen (col. 4, lines 43-50).

Regarding claim 18, Lazzouni et al. discloses the system of claim 15, wherein the formatted surface comprises a display screen, the printed information displayed on the display screen and the address pattern preprinted on the display screen (col. 4, lines 43-50).

Regarding claim 19, Lazzouni et al. discloses the system of claim 15, further comprising a processor for generating an electronic copy of the printed information by determining a location of each portion of the detected printed information based on the corresponding portion of the address pattern (col. 8, line 54 through col. 9, line 27).

Regarding claim 20, Lazzouni et al. discloses the system of claim 19, wherein the processor can generate a substantially exact electronic copy of the printed information regardless of the number of times and the direction in which the reading sensor is moved across the formatted surface (col. 8, line 54 through col. 9, line 27).

Regarding claim 21, Lazzouni et al. discloses the system of claim 19, wherein, when only

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parts of the printed information are detected, the processor can determine a substantially exact distance between the detected parts of the printed information (col. 8, line 54 through col. 9, line 27).

Regarding claim 22, Lazzouni et al. discloses the system of claim 19, further comprising a memory for storing an electronic copy of the address pattern for use in generating the electronic copy of the printed information (col. 8, line 54 through col. 9, line 27).

Regarding claim 23, Lazzouni et al. discloses the system of claim 22, wherein the processor generates the electronic copy of the printed information by mapping detected portions of the printed information onto the stored copy of the address pattern (col. 8, line 65 through col. 9, line 27).

Regarding claim 24, Lazzouni et al. discloses the system of claim 19, wherein the electronic reading device further comprises a light emitter for emitting a broad spectrum light and the reading sensor comprises a plurality of sensors, wherein at least one of the sensors includes a filter for filtering out a portion of the light spectrum, each sensor that includes a filter detecting one of the printed information and the address pattern and each sensor that does not include a filter detecting the other of the printed information and the address pattern (please refer to claim 1).

Regarding claims 25 and 26, the arguments analogous to those presented for claim 9 are applicable to claims 25 and 26.

Regarding claim 27, Lazzouni et al. discloses the system of claim 26, wherein the first light emitter and the second light emitter are alternatively activated (col. 5, lines 34-43).

Regarding claim 28 Lazzouni et al. does not disclose the system of claim 15, further

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comprising a processor for generating an output based on the detected printed information and the detected portions of the address pattern, wherein the output is selected from the group consisting of sound, text, and an image. However, Dymetman discloses such an apparatus (col. 24, lines 13-64). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to combine Lazzouni's apparatus with that of Dymetman, because, this addition would enhance Lazzouni's design.

Regarding claim 29 the arguments analogous to those presented for claim 1 are applicable to claim 29.

Regarding claim 30, Lazzouni et al. discloses the method of claim 29, wherein the surface comprises a display screen, further comprising the step of generating the image on the display screen (col. 4, lines 43-50).

Regarding claim 31, Lazzouni et al. discloses the method of claim 30, further comprising the step of generating the address pattern on the display screen (col. 4, lines 43-50).

Regarding claim 32, Lazzouni et al. discloses the method of claim 29, wherein the surface comprises a formatted paper (col. 4, lines 14-42).

Regarding claims 33 and 35 the arguments analogous to those presented for claims 1 and 6 are applicable to claims 33 and 35 respectively.

Regarding claim 34 the arguments analogous to those presented for claim 23 are applicable to claim 34.

Regarding claims 36 and 37 the arguments analogous to those presented for claim 6 are applicable to claims 36 and 37.

Regarding claim 38, Lazzouni et al. discloses the method of claim 37, further comprising

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the step of illuminating the surface with a wide spectrum light 9col. 5, lines 13-54).

Regarding claims 39 and 40 the arguments analogous to those presented for claim 6 are applicable to claims 39 and 40.

Regarding claim 41, Lazzouni et al. discloses the method of claim 40, further comprising alternating between the step of detecting the at least a portion of the image and the step of detecting the corresponding portion of the address pattern (col. 5, line 13 through col. 7, line 22).

Regarding claim 42 the arguments analogous to those presented for claim 41 are applicable to claim 42.

Regarding claim 43 the arguments analogous to those presented for claim 28 are applicable to claim 43.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Houshang Safaipoor whose telephone number is (571)272-7412. The examiner can normally be reached on Mon.-Thurs. from 6:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles, Sr. can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Houshang Safaipoor
Patent Examiner
Art Unit 2622
June 25, 2005


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